ACTION: Approve a Preliminary Subdivision Plat for THE MOTLEY, located at 1221 East Apache Boulevard. The applicant is Wood, Patel & Associates, Inc.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – approval

BACKGROUND INFORMATION: THE MOTLEY (PL140078) consists of two parcels. The applicant seeks to combine the parcels into one to develop a new five-story mixed-use development with 395 units. The request includes the following:

1. Preliminary Subdivision Plat combining two parcels into one (1) lot.

<table>
<thead>
<tr>
<th>Property Owner/Developer</th>
<th>LMC Apache Terrace Holdings, LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Zoning District</td>
<td>MU-4, Mixed-Use, High Density</td>
</tr>
<tr>
<td></td>
<td>PAD (Planned Area Development)</td>
</tr>
<tr>
<td></td>
<td>TOD (Transportation Overlay District, Station Area)</td>
</tr>
<tr>
<td>Net site area</td>
<td>6.70 acres</td>
</tr>
</tbody>
</table>

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Karen Stovall, Senior Planner (480) 350-8432

Department Director: Dave Nakagawara, Community Development Director
Legal review by: N/A
Prepared by: Karen Stovall, Senior Planner
COMMENTS:

This site is located on the south side of Apache Boulevard between Terrace Road to the west and Cedar Street to the east. The site consists of an older motel and apartment complex. To the north of the site, across Apache Boulevard, is existing commercial. To the west of the site are remnant industrial space and an abandoned car wash. To the south is the Jen Tilly Terrace Neighborhood, consisting of a combination of older multi-family properties and newer single-family homes. Directly east and southeast of the site is the Hudson Manor, an established single-family subdivision.

On August 25, 2014, the Development Review Commission approved a Development Plan Review including site plan, building elevations, and landscape plan for a new five-story, mixed-use development with 395 units. On October 2, 2014, the City Council approved a Zoning Map Amendment and Planned Area Development Overlay for the site. These approvals will allow the construction a new five-story mixed-use development with 395 residential units entitled The Motley (formerly known as The Hayden at Dorsey Station). The site is currently two parcels, and the applicant seeks to combine them into one to allow this construction.

The applicant is requesting the Development Review Commission take action on this item. For further processing, the applicant will need approval of a Final Subdivision Plat.

Conclusion

Based on the information provided and the above analysis, staff recommends approval of the requested Subdivision Plat. The property will have access to public streets and conform to the technical standards of the Tempe City Code for Subdivisions, Chapter 30.

CONDITIONS OF APPROVAL:

1. The Subdivision Plat shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder’s Office on or before August 27, 2016. Failure to record the plat within one year of City Council approval shall make the plat null and void.

2. All property corners shall be set and verified with staff upon final recordation of the subdivision plat, no later than three (3) months from the date of County recordation or as determined by staff.

HISTORY & FACTS:

December 20, 1974  City Council approved the Development Plan for VAGABOND MOTOR HOTEL, located at 1221 East Apache Boulevard.


August 26, 1983  City Council approved a rezoning from C-2 and R1-6 to R-3 for C & F PROPERTIES for 1.85 acres, and approved a Site Plan for Spence Villa Apartments consisting of 78 units on 3.67 acres, and variances to reduce the require RV spaces from 16 to 0, increase compact spaces from 30 to 42 spaces, and decrease guest parking from 16 to 15 spaces.

August 6, 2014  Neighborhood meeting conducted by the applicant for this request. Meeting was held at the Apache Police Substation at 5:30 pm.

September 11, 2014  City Council introduced and held the first public hearing for THE HAYDEN AT DORSEY STATION (PL140078).

October 2, 2014  City Council held the second and final public hearing and approved THE HAYDEN AT DORSEY STATION (PL140078) consisting of a Zoning Map Amendment from R-4 and CSS to MU-4 and a Planned Area Development Overlay to establish development standards and modify the minimum bicycle parking standards.

ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-307, Subdivisions, Lot Splits and Adjustments
DEVELOPMENT PROJECT FILE
for
THE MOTLEY
(PL140078)

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4-6. Subdivision Plat
July 29, 2015

City of Tempe
Community Development Department
31 East Fifth Street
Tempe, AZ 85280

Re: Letter of Explanation for Motley Subdivision Plat

City of Tempe Community Development Department:

At 1221 E. Apache Boulevard, Lennar Multifamily Communities has proposed a 5-story multifamily, mixed-use development consisting of 395 units. On August 25, 2014 the Development Review Commission approved the request for a Zoning Map Amendment, Planned Area Development Overlay and Development Plan Review for the proposed project. Subsequently, on October 2, 2014 the City Council approved the Zoning Map Amendment and Planned Area Development Overlay granting final approval for the project.

The approximately 6.7 acre development site consists of two separate parcels with existing structures—a Day’s Inn motel and a two-story apartment project. These structures will be demolished to accommodate the new development.

Lennar is seeking plat approval in order to merge the two parcels into one parcel to facilitate the proposed development. The plat conforms to the requirements and objective of the general plan as well as the requirements of the Zoning and Development Code and other governing regulatory bodies.

Thank you in advance for your review and approval of the subdivision plat. We are excited to be developing such a high profile project along the Apache corridor in the great city of Tempe.

Sincerely,

[Signature]

Nathan Stum
Lennar Multifamily Communities
Development Manager, Southwest
A SUBDIVISION PLAT FOR THE MOTLEY
LOCATED WITHIN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, CITY OF TEMPE, ARIZONA

DEDICATION

ACKNOWLEDGMENT
LMC APACHES TERRACE HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SOLE MEMBER
BY: Lennar Multifamily Btc Venture GP Subsidiary, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS MANAGER
BY: Lennar Multifamily Btc Venture GP, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SOLE MEMBER
BY: ___________________ ITS PRESIDENT ___________________ DATE
On this Day of ________, 2015 before me, the undersigned, personally appeared Scott S. Johnson, Vice President, who acknowledged himself to be the person whose name is subscribed to the instrument within, and who executed the foregoing instrument for the purpose herein contained.
IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

LEGAL DESCRIPTION (PRIOR TO SUBDIVISION) (CONTINUES ON SHEET 2)
A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE, AND MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 23,
THENCE SOUTH 89 DEGREES 30 MINUTES 44 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 340.00 FEET TO A POINT WHICH BEARS NORTH 89 DEGREES 30 MINUTES 44 SECONDS EAST FROM AN IRON PIN IN HARD HOLE ON THE NORTH LINE OF SAID SOUTHWEST QUARTER AND THE CENTERLINE OF TERRACE ROAD, A DISTANCE OF 900.37 FEET;
THENCE SOUTH 00 DEGREES 17 MINUTES 17 SECONDS EAST PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 50.37 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF APACHE BLVD. AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89 DEGREES 30 MINUTES 44 SECONDS WEST ALONG THE AFOREMENTIONED RIGHT OF WAY LINE, A DISTANCE OF 436.32 FEET TO A POINT ON THE NORTH EAST CORNER OF LOT 18 OF JEN TILLY TERRACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 22 OF MAPS, PAGE 40.

OWNER/DEVELOPER
LMC APACHES TERRACE HOLDINGS, LLC
7150 East Camelback Road, Suite 425
Scottsdale, Arizona 85251
Phone: (480) 718-1378

BENCHMARK
THE VERTICAL DATUM FOR THIS SURVEY IS BASED ON CITY OF TEMPE CONTROL POINT #14, A 3-FOOT CITY OF TEMPE BRASS CAP IN HANG HOLE LOCATED AT THE INTERSECTION OF UNIVERSITY DRIVE & DORSEY HAVING AN ELEVATION OF 1168.54, CITY OF TEMPE NOVO 29 DATUM.

BASIS OF BEARING
BASE OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, ARIZONA, HAVING A BEARING OF SOUTH 89°30'35" EAST. CITY OF TEMPE PUBLISHED BEARING IS SOUTH 89°30'35" EAST.

APPROVALS
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA ON THIS ______ DAY OF ______, 2015.

BY: ___________________ DATE
ATTEST: ___________________ DATE

CERTIFICATION
THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLANTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF OCTOBER, 2012, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THE POSITIONS ARE CORRECTLY SHOWN AND THE SAID MONUMENTS ARE SUFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

GABRIEL S. RIOS
REGISTERED LAND SURVEYOR #4932

NOTES
1) THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNED AS HAVING AN INSURED WATER SUPPLY.
2) LOT CORNERS TO BE SET WITH 1/2" REBAR CAP AND CAP OR TAG, WOOD/PATEL LTD/739, OR OTHER MONUMENT THAT MEETS ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS.
3) ALL NEW AND EXISTING, AS WELL AS ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.
4) ANY RETENTION SYSTEM AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO: (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY), AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STORE AND DISSIPATE THE VOLUME OF STORM WATER AS SHOWN ON THE DESIGN PLANS, THE FOREGOING RESTRICTION CANNOT BE CHANGED WITHOUT PRIOR WRITTEN CONSENT OF THE CITY OF TEMPE ENGINEER.

FLOOD PLAIN CERTIFICATION
THIS IS TO CERTIFY THAT THE ABOVE PROPERTY LIES WITHIN ZONE X "OTHER WORLDS AREAS" AS DESIGNATED ON THE FEMA FLOOD INSURANCE RATE MAP NO. 0401322415. DATED OCTOBER 16, 2013, DESCRIBED AS: "AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINS AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."
LEGAL DESCRIPTION (CONTINUED)

THENCE SOUTH 43 DEGREES 32 MINUTES 02 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT, WHICH LINE IS ALSO THE SOUTHWESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD AS SHOWN ON THE MAP OF JENNY TILLY TERRACE, A DISTANCE OF 800.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SPENCER AVENUE, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 9, OF ATTACHED TRACT, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 12 OF MAPS, PAGE 751.

THENCE NORTH 89 DEGREES 32 MINUTES 12 SECONDS EAST ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF SPENCER AVENUE, A DISTANCE OF 205.08 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23.

THENCE NORTH 00 DEGREES 28 MINUTES 17 SECONDS WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 500.00 FEET TO THE NORTHEASTERLY CORNER OF THAT PARCEL DESCRIBED IN DOCKET 13501, PAGE 751, RECORDS OF MARICOPA COUNTY, ARIZONA.

THENCE SOUTH 89 DEGREES 32 MINUTES 12 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL AND PARALLEL WITH THE NORTH RIGHT OF WAY LINE OF SPENCER AVENUE, A DISTANCE OF 206.66 FEET TO A DISTANCE OF 206.66 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY OF THE PHOENIX AND EASTERN RAILROAD AS SHOWN IN BOOK 28 OF MAPS, PAGE 40, RECORDS OF MARICOPA COUNTY, ARIZONA.

THENCE NORTH 43 DEGREES 32 MINUTES 02 SECONDS WEST PARALLEL TO AND 100.00 FEET NORTHEASTERLY OF THE NORTHEASTERLY LINE OF LOT 15, OF JENNY TILLY TERRACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 28 OF MAPS, PAGE 40, A DISTANCE OF 100.00 FEET.

THENCE NORTH 00 DEGREES 28 MINUTES 17 SECONDS WEST PARALLEL TO THE EAST LINE OF SAID SOUTHWEST QUARTER AND ALONG THE EAST LINE OF SAID PARCEL AS DESCRIBED IN DOCKET 13523, PAGE 153, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 320.56 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT A STRIP OF LAND 5.00 FEET IN WIDTH LOCATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 00 DEGREES 00 MINUTES 17 SECONDS EAST, A DISTANCE OF 200.00 FEET.

THENCE NORTH 00 DEGREES 28 MINUTES 17 SECONDS WEST PARALLEL WITH AND 200.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 200.00 FEET.

THENCE NORTH 89 DEGREES 32 MINUTES 12 SECONDS WEST, A DISTANCE OF 500.00 FEET TO THE TRUE POINT OF BEGINNING, AS QUOTED TO THE CITY OF TEMPE IN INSTRUMENT NO. 84-466443, OF OFFICIAL RECORDS, RECORDS OF MARICOPA COUNTY, ARIZONA, AND ALSO

THENCE NORTH 89 DEGREES 32 MINUTES 44 SECONDS WEST PARALLEL WITH AND 44 FEET WEST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 300.00 FEET TO A POINT WHICH BEARS NORTH 89 DEGREES 30 MINUTES 44 SECONDS EAST FROM THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID SOUTHWEST QUARTER BEING THE CENTERLINE OF TERRANCE ROAD (TO THE SOUTH), A DISTANCE OF 500.37 FEET;